

## UNITED STATES BANKRUPTCY COURT

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

#### **Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain acts of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

#### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)**

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

#### **Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)**

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### **Chapter 12: Family farmer (\$200 filing fee plus \$39 administrative fee)**

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

I, the debtor, affirm that I have read this notice.

9/01/05

Date

/s/ Frank V. Moscato

Signature of Debtor

Case Number

<b>FORM B1</b>		<b>United States Bankruptcy Court</b> <b>Western District of New York</b>		<b>Voluntary Petition</b>	
Name of Debtor (if individual, enter Last, First, Middle): Moscato, Frank V.			Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): None			All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):		
Last four digits of Soc.Sec.No./Complete EIN or other Tax ID No. (if more than one, state all): 8283			Last four digits of Soc.Sec.No./Complete EIN or other Tax ID No. (if more than one, state all):		
Street Address of Debtor (No. & Street, City, State & Zip Code): 131 Kemp Dr. Macedon, NY 14502			Street Address of Joint Debtor (No. & Street, City, State & Zip Code):		
County of Residence or of the Principal Place of Business:      Wayne			County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):		
Location of Principal Assets of Business Debtor (if different from street address above):			Attorney: John F. McKeown, Esq., John F. McKeown, Attorneys at Law 70 North Main Street Canandaigua, NY 14424 ph: 585-396-9627		

### Information Regarding the Debtor (Check the Applicable Boxes)

**Venue** (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

**Type of Debtor** (Check all boxes that apply)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Individual(s) | <input type="checkbox"/> Railroad         |
| <input type="checkbox"/> Corporation              | <input type="checkbox"/> Stockbroker      |
| <input type="checkbox"/> Partnership              | <input type="checkbox"/> Commodity Broker |
| <input type="checkbox"/> Other _____              | <input type="checkbox"/> Clearing Bank    |

**Chapter or Section of Bankruptcy Code Under Which the Petition is Filed** (Check one box)

- |   |                                     |                                     |
|---|-------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> Chapter 7 | <input type="checkbox"/> Chapter 11 | <input type="checkbox"/> Chapter 13 |
| <input type="checkbox"/> Chapter 9            | <input type="checkbox"/> Chapter 12 |                                     |
| <input type="checkbox"/>                      |                                     |                                     |

**Nature of Debts** (Check one box)

- ☒ Consumer/Non-Business      ☐ Business

**Chapter 11 Small Business** (Check all boxes that apply)

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101
- ☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

**Filing Fee** (Check one box)

- ☒ Full Filing Fee attached
- ☐ Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.

**Statistical/Administrative Information** (Estimates only)

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors	1-15	16-49	50-99	100-199	200-999	1000-over
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Assets	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Debts	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THIS SPACE IS FOR COURT USE ONLY

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Frank V. Moscato	
Location <b>Prior Bankruptcy Case Filed Within Last 6 Years</b> (If more than one, attach additional sheet) Where Filed: NONE		Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor: NONE		Case Number:	Date Filed:
District:		Relationship:	Judge:

  

<p style="text-align: center;"><b>Signatures</b></p> <p><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.          [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.          I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><u>X /s/ Frank V. Moscato</u>          Signature of Debtor</p> <p><u>X</u>          Signature of Joint Debtor</p> <p>_____          Telephone Number (If not represented by attorney)</p> <p><u>9/01/05</u>          Date</p>	<p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>
<p style="text-align: center;"><b>Signature of Attorney</b></p> <p><u>X /s/ John F. McKeown, Esq.</u>          Signature of Attorney for Debtor(s)</p> <p><u>JOHN F. MCKEOWN, ESQ.</u>          Printed Name of Attorney for Debtor(s)</p> <p><u>John F. McKeown, Attorneys at Law</u>          Firm Name</p> <p><u>70 North Main Street</u>          Address</p> <p><u>Canandaigua, NY 14424</u></p> <p><u>585-396-9627</u>          Telephone Number</p> <p><u>9/01/05</u>          Date</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>((To be completed if debtor is an individual whose debts are primarily consumer debts))</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.</p> <p><u>X /s/ John F. McKeown, Esq.</u> <u>9/01/05</u>          Signature of Attorney for Debtor(s) Date</p>
<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><u>X</u>          Signature of Authorized Individual</p> <p>_____          Printed Name of Authorized Individual</p> <p>_____          Title of Authorized Individual</p> <p>_____          Date</p>	<p style="text-align: center;"><b>Exhibit C</b></p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.  <input checked="" type="checkbox"/> No</p>
<p style="text-align: center;"><b>Signature of Non-Attorney Petition Preparer</b></p> <p>I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.</p> <p>_____          Printed Name of Bankruptcy Petition Preparer</p> <p>_____          Social Security Number (Required by 11 U.S.C. § 110(c).)</p> <p>_____          Address</p> <p>_____          Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><u>X</u>          Signature of Bankruptcy Petition Preparer</p> <p>_____          Date</p> <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.</p>	

Frank V. Moscato

In re

Debtor

Case No.

(if known)

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	OR COMMUNITY HUSBAND, WIFE, JOINT	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
house and lot joint tenants in common with right to survivorship with Sharon Henderson 131 Kemp Dr. Town of Macedon County of Wayne Stae of New york	Fee Simple		80,250.00	139,920.93
Total ▶			80,250.00	

(Report also on Summary of Schedules)

In re \_\_\_\_\_  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G- Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	OR COMMUNITY HUSBAND, WIFE, JOINT	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<b>1. Cash on hand.</b>		cash on hand		1,500.00
<b>2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.</b>		checking account 2311 Lyons National Bank		5.00
		checking account # 3353, joint with Sharon Henderson Lyons National Bank		296.49
<b>3. Security deposits with public utilities, telephone companies, landlords, and others.</b>	X			
<b>4. Household goods and furnishings, including audio, video, and computer equipment.</b>		bedroom furnishings, living room furnishings, appliances, 1 TV, kitchen furnishings at residence		1,600.00
		1 computer, 1 stereo		200.00

Frank V. Moscato

In re \_\_\_\_\_  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	OR COMMUNITY HUSBAND / WIFE / JOINT	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
		at residence		
5. Books, Pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		20 CDs, 10 DVDs at residence		60.00
6. Wearing apparel.		men's clothing at residence		200.00
7. Furs and jewelry.		1 watch at residence		35.00
		2 watches, 1 bracelet, 1 ring at residence		1,465.00
8. Firearms and sports, photographic, and other hobby equipment.		2 cameras at residence		100.00
		8 firearms at residence		925.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			

Frank V. Moscato

In re \_\_\_\_\_  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	OR COMMUNITY HUSBAND / WIFE / JOINT	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<b>10. Annuities. Itemize and name each issuer.</b>		annuity Vanguard Group		36,000.00
<b>11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.</b>	X			
<b>12. Stock and interests in incorporated and unincorporated businesses. Itemize.</b>	X			
<b>13. Interests in partnerships or joint ventures. Itemize.</b>	X			
<b>14. Government and corporate bonds and other negotiable and non-negotiable instruments.</b>	X			
<b>15. Accounts receivable.</b>		accounts receivable-proceeds from sale of Deli, joint ownership with Sharon Henderson  Guida's Webster, Inc. 1837 Penfield Rd. Penfield, NY 14526		7,575.50
<b>16. Alimony, maintenance, support, and property settlement to which the debtor is or may be entitled. Give particulars.</b>	X			
<b>17. Other liquidated debts owing debtor including tax refunds. Give particulars.</b>	X			
<b>18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.</b>	X			
<b>19. Contingent and noncontingent interests in estate or a decedent, death benefit plan, life insurance policy, or trust.</b>	X			

Frank V. Moscato

In re \_\_\_\_\_  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	OR COMMUNITY HUSBAND / WIFE / JOINT	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<b>20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights of setoff claims. Give estimated value of each.</b>		YTD 2005 anticipated state and Federal income tax refund		2,800.00
<b>21. Patents, copyrights, and other intellectual property. Give particulars.</b>	X			
<b>22. Licenses, franchises, and other general intangibles. Give particulars.</b>	X			
<b>23. Automobiles, trucks, trailers, and other vehicles and accessories.</b>		2004 Chevrolet Impala, 31,800 miles, 4 doors, 6 cylinders, titled to Frank V. Moscato and Sharon Henderson at residence		7,235.00
		2005 Chevrolet Colorado, 7,600 miles, 4 doors, 6 cylinders, titled to Frank V. Moscato and Sharon Henderson at residence		10,230.00
<b>24. Boats, motors, and accessories.</b>	X			
<b>25. Aircraft and accessories.</b>	X			
<b>26. Office equipment, furnishings, and supplies.</b>	X			
<b>27. Machinery, fixtures, equipment, and supplies used in business.</b>	X			
<b>28. Inventory.</b>	X			
<b>29. Animals.</b>		2 cats, 2 Iguannas at residence		4.00



**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	OR COMMUNITY HUSBAND / WIFE JOINT	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
		1 dog at residence		1.00
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed.	X			
0 continuation sheets attached				Total ▶ \$ 70,231.99

In re \_\_\_\_\_  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemption to which debtor is entitled under

(Check one box)

☐ 11 U.S.C. §522(b)(1) Exemptions provided in 11 U.S.C. §522(d). Note: These exemptions are available only in certain states.☒ 11 U.S.C. §522(b)(2) Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
YTD 2005 anticipated state and Federal income tax refund	NY Debt & Cred Law § 283(2)	2,800.00	2,800.00
checking account 2311	NY Debt & Cred Law § 283(2)	5.00	5.00
checking account # 3353, joint with Sharon Henderson	NY Debt & Cred Law § 283(2)	296.49	296.49
bedroom furnishings, living room furnishings, appliances, 1 TV, kitchen furnishings	NY Civ Prac Law & Rules § 5205(a)(5)	1,600.00	1,600.00
men's clothing	NY Civ Prac Law & Rules § 5205(a)(5)	200.00	200.00
1 watch	NY Civ Prac Law & Rules § 5205(a)(6)	35.00	35.00
annuity	NY Debt & Cred Law § 283(1)	36,000.00	36,000.00
1 dog	NY Civ Prac Law & Rules § 5205(a)(4)	1.00	1.00
cash on hand	NY Debt & Cred Law § 283(2)	1,500.00	1,500.00

In re Frank V. Moscato,

Case No. \_\_\_\_\_

Debtor

(If known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 2835			Incurring: 1/2/03 Lien: First Mortgage Security: house and lot, 131 Kemp Dr., Macedon, NY owned jointly with Sharon Henderson				139,920.93	0.00
Countrywide Home Loans SV-314 PO Box 5170 Simi Valley, CA 93062-5170	X		VALUE \$ 160,500.00					
ACCOUNT NO.			Incurring: 2005 Lien: auto loan Security: 2005 Chevrolet Colorado				22,833.00	2,373.00
GMAC PO Box 8142 Cockeysville, MD 21030	X		VALUE \$ 20,460.00					
ACCOUNT NO.			Incurring: 2004 Lien: auto loan Security: Chevrolet Impala				16,971.00	2,501.00
GMAC PO Box 8142 Cockeysville, MD 21030	X		VALUE \$ 14,470.00					
ACCOUNT NO.								
			VALUE \$					

0 continuation sheets attached

Subtotal  
(Total of this page) \$ 179,724.93

Total \$ 179,724.93

In re Frank V. Moscato  
Debtor

Case No. \_\_\_\_\_  
(if known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

### TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,925\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,925\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,225\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

\* Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

0 continuation sheets attached

In re Frank V. Moscato,  
DebtorCase No. \_\_\_\_\_  
(If known)**SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community maybe liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. Advanta Bank PO Box 844 Spring House, PA 19477-0844		Incurred: 2003 Consideration: Credit card debt				7,073.49
ACCOUNT NO. 2008 American Express 777 American Expressway Ft. auderdale, FL 33337-0001		Incurred: 1992 Consideration: Credit card debt				16,093.38
ACCOUNT NO. 3715 Bank of America PO Box 1758 Newark, NY 07101-1758		Incurred: 1995 Consideration: Credit card debt				15,236.61
ACCOUNT NO. 3922 Capitol One Bank PO Box 70884 Charlotte, NC 28272-0884		Incurred: 1997 Consideration: Credit card debt				4,106.68
<div style="display: flex; justify-content: space-between;"> <span>2 continuation sheets attached</span> <div> Subtotal ➤ \$ 42,510.16  (Total of this page)  Total ➤ \$  (Use only on last page) </div> </div>						

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Frank V. Moscato

In re \_\_\_\_\_,  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF,	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 8787 Chase Bank PO Box 15650 Wilmington, DE 19886-5650		Incurred: 1993 Consideration: Credit card debt				9,337.33
ACCOUNT NO. 5782 HSBC PO Box 17332 Baltimore, MD 21297-1332		Incurred: 1962 Consideration: Credit card debt				23,426.70
ACCOUNT NO. 6035 Sears PO Box 182149 Columbus, OH 43218-2149		Incurred: 1980 Consideration: Revolving charge account				4,120.83
ACCOUNT NO. Susan A. Gephardt 56 Partridge Hill Honeoye Falls, NY 14472		Consideration: noticing purposes				1.00
ACCOUNT NO. 1580 United Mileage Plus PO Box 15153 Wilmington, DE 19886-5153		Incurred: 1994 Consideration: Credit card debt				12,038.00

Sheet no. 1 of 2 continuation sheets attached to Schedule of Creditors  
Creditors Holding Unsecured Nonpriority Claims

Subtotal ➤ (Total of this page)	\$ 48,923.86
Total ➤	\$

(Use only on last page of the completed Schedule F.)

(Report total also on Summary of Schedules)

Frank V. Moscato

In re \_\_\_\_\_,  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF,	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 2358 Wells Fargo PO Box 6412 Carol Stream, IL 60197-6412		Incurred: 1995 Consideration: Credit card debt				5,046.21
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						
ACCOUNT NO.						

Sheet no. 2 of 2 continuation sheets attached to Schedule of Creditors  
Creditors Holding Unsecured Nonpriority Claims

Subtotal ▶ (Total of this page)	\$ 5,046.21
Total ▶ (Use only on last page of the completed Schedule F.)	\$ 96,480.23

(Report total also on Summary of Schedules)

Frank V. Moscato

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_  
(if known)

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests.

State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☒ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT



Frank V. Moscato

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_  
(if known)

## SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Sharon Henderson 131 Kemp Dr. Macedon, NY 14502	GMAC PO Box 8142 Cockeysville, MD 21030
Sharon Henderson 131 Kemp Dr. Macedon, NY 14502	GMAC PO Box 8142 Cockeysville, MD 21030
Sharon Henderson 131 Kemp Dr. Macedon, NY 14502	Countrywide Home Loans SV-314 PO Box 5170 Simi Valley, CA 93062-5170

In re Frank V. Moscato,  
DebtorCase No. \_\_\_\_\_  
(if known)**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:  Divorced	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP  No dependents	AGE
<b>Employment:</b>		
Occupation	DEBTOR sales	SPOUSE
Name of Employer	Mike Barnard Chevrolet	
How long employed	5 years	
Address of Employer	RT 31	N.A.
	Newark, NY 14513	

**Income:** (Estimate of average monthly income)Current monthly gross wages, salary, and commissions  
(pro rate if not paid monthly.)

DEBTOR	SPOUSE
\$ 4,431.45	\$ N.A.

Estimated monthly overtime

\$ 0.00	\$ N.A.
---------	---------

SUBTOTAL

\$ 4,431.45	\$ N.A.
-------------	---------

LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

\$ 1,298.00	\$ N.A.
-------------	---------

b. Insurance

\$ 0.00	\$ N.A.
---------	---------

c. Union Dues

\$ 0.00	\$ N.A.
---------	---------

d. Other (Specify: \_\_\_\_\_)

\$ 0.00	\$ N.A.
---------	---------

SUBTOTAL OF PAYROLL DEDUCTIONS

\$ 1,298.00	\$ N.A.
-------------	---------

TOTAL NET MONTHLY TAKE HOME PAY

\$ 3,133.45	\$ N.A.
-------------	---------

Regular income from operation of business or profession or farm  
(attach detailed statement)

\$ 0.00	\$ N.A.
---------	---------

Income from real property

\$ 0.00	\$ N.A.
---------	---------

Interest and dividends

\$ 0.00	\$ N.A.
---------	---------

Alimony, maintenance or support payments payable to the debtor for the  
debtor's use or that of dependents listed above.

\$ 0.00	\$ N.A.
---------	---------

Social security or other government assistance

(Specify) Social Security Retirement

\$ 1,708.00	\$ N.A.
-------------	---------

Pension or retirement income

\$ 0.00	\$ N.A.
---------	---------

Other monthly income

(Specify) mortgage payment of business

\$ 291.55	\$ N.A.
-----------	---------

income of Sharon Henderson

\$ 2,291.55	\$ N.A.
-------------	---------

TOTAL MONTHLY INCOME

\$ 7,424.55	\$ N.A.
-------------	---------

TOTAL COMBINED MONTHLY INCOME \$ 7,424.55

(Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

Frank V. Moscato

In re \_\_\_\_\_,  
DebtorCase No. \_\_\_\_\_  
(If known)**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTORS**

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)	\$	1,966.73
Are real estate taxes included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Is property insurance included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Utilities Electricity and heating fuel	\$	282.85
Water and sewer	\$	38.00
Telephone	\$	162.00
Other trash collection, cable TV, newspaper	\$	185.00
Home maintenance (Repairs and upkeep)	\$	150.00
Food	\$	300.00
Clothing	\$	100.00
Laundry and dry cleaning	\$	86.00
Medical and dental expenses	\$	130.00
Transportation (not including car payments)	\$	400.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	75.00
Charitable contributions	\$	45.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	0.00
Life	\$	500.08
Health	\$	0.00
Auto	\$	158.00
Other	\$	0.00
Taxes (not deducted from wages or included in home mortgage payments)		
(Specify)	\$	0.00
Installment payments (In chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	285.00
Other S. Henderson's car payment, and other expenses	\$	976.00
Other Sharon Henderson's tax and business expense	\$	500.00
Alimony, maintenance, and support paid to others	\$	1,000.00
Payments for support of additional dependents not living at your home	\$	0.00
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	300.00
Other haircuts, pet food, family gifts	\$	178.00

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 7,817.66

**(FOR CHAPTER 12 AND 13 DEBTORS ONLY)**

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$	N.A.
B. Total projected monthly expenses	\$	N.A.
C. Excess income (A minus B)	\$	N.A.
D. Total amount to be paid into plan each _____	\$	N.A.

(interval)

# United States Bankruptcy Court

## Western District of New York

Frank V. Moscato

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_  
(If known)

### SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

			AMOUNTS SCHEDULED		
NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 80,250.00		
B - Personal Property	YES	5	\$ 70,231.99		
C - Property Claimed As Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 179,724.93	
E - Creditors Holding Unsecured Priority Claims	YES	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	3		\$ 96,480.23	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 7,424.55
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 7,817.66
Total Number of Sheets in ALL Schedules ▶		16			
Total Assets ▶			150,481.99		
Total Liabilities ▶				276,205.16	

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In re Frank V. Moscato,  
Debtor

Case No. \_\_\_\_\_  
(If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 17  
sheets and that they are true and correct to the best of my knowledge, information and belief. (Total shown on summary page plus 1)

Date 9/01/05

Signature /s/ Frank V. Moscato  
Debtor

Date \_\_\_\_\_

Signature Not Applicable  
(Joint Debtor, if any)  
[If joint case, both spouses must sign]

### CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.  
(Required by 11 U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

**FORM 7. STATEMENT OF FINANCIAL AFFAIRS**  
**UNITED STATES BANKRUPTCY COURT**  
**WESTERN DISTRICT OF NEW YORK**

In Re Frank V. Moscato  
(Name)

Debtor

Case No. \_\_\_\_\_  
(if known)

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

*DEFINITIONS*

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None

☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE (if more than one)

2005	23,974.34	YTD income from employment and mortgage payment from business
------	-----------	---

2004	34,722.00	income from employment
2003	30,120.00	income from employment

**2. Income other than from employment or operation of business**

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	AMOUNT	SOURCE
2005	13,664.00	YTD income from Social Security Retirement
2004	20,496.00	income from Social Security Retirement

**3. Payments to Creditors**

None ☒ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
------------------------------	-------------------	-------------	--------------------

None ☒ b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors, who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
---	-------------------	-------------	--------------------

**4. Suits and administrative proceedings, executions, garnishments and attachments**

None ☒ a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
---------------------------------	----------------------	------------------------------	-----------------------

None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
--	--------------------	--------------------------------------

**5. Repossessions, foreclosures and returns**

None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
--	---	--------------------------------------

**6. Assignments and Receiverships**

None ☒ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
------------------------------------	--------------------	---

None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
-------------------------------------	--	------------------	--------------------------------------



**7. Gifts**

None ☒ List all gifts or charitable contributions made within one year immediately preceding the commencement of this case, except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
--	--------------------------------	--------------	-------------------------------

**8. Losses**

None ☐ List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES, AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
\$18,000.00	loss from gambling at Niagra Falls Casino	2004-2005

**9. Payments related to debt counseling or bankruptcy**

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
John F. McKeown, Esq. John F. McKeown, Attorneys at Law 70 North Main St. Canandaigua, NY 14424	05/19/05 to 07/11/05	\$745

**10. Other transfers**

None

☐

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,  
RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY  
TRANSFERRED AND  
VALUE RECEIVED

Guida's Webster, Inc.  
1837 Penfield Rd.  
Penfield, NY 145626  
Relationship: none

01/21/2005

deli business and equipment of North  
Ave. Deli and Pizzeria  
\$65,000.00

**11. Closed financial accounts**

None

☐

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND  
ADDRESS OF  
INSTITUTION

TYPE OF ACCOUNT, LAST FOUR  
DIGITS OF ACCOUNT NUMBER,  
AND AMOUNT OF FINAL BALANCE

AMOUNT AND  
DATE OF SALE  
OR CLOSING

Sage Rutty

sale of stock  
3790-0596-2  
used in the deli  
business  
Closing Balance: 31,892.50

09/15/2004  
31,892.50

HSBC

**12. Safe deposit boxes**

None

☒

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND  
ADDRESS OF BANK  
OR OTHER DEPOSITORY

NAMES AND ADDRESSES OF  
THOSE WITH ACCESS TO BOX  
OR DEPOSITORY

DESCRIPTION OF  
CONTENTS

DATE OF  
TRANSFER OR  
SURRENDER, IF ANY

**13. Setoffs**

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
------------------------------	----------------------	------------------------

**14. Property held for another person**

None ☒ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
------------------------------	--------------------------------------	----------------------

**15. Prior address of debtor**

None ☒ If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
---------	-----------	--------------------

**16. Spouses and Former Spouses**

None ☒ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

**17. Environmental Sites**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None ☒ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None ☒

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None ☒

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
--	---------------	-----------------------

**18. Nature, location and name of business**

a. ☐ If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NO. (EIN)	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
J&F Chevrolet-Olds				1985 to 06/2000
North Ave. Deli, Inc.				07/2002 to 12/31/2004

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None ☒

NAME	ADDRESS
------	---------

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

*(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

#### 19. Books, record and financial statements

None ☒ a. List all bookkeepers and accountants who within the six years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None ☒ b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

ADDRESS

DATES SERVICES RENDERED

None ☒ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

ADDRESS

None ☒ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

NAME AND ADDRESS

DATE  
ISSUED

#### 20. Inventories

None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
(Specify cost, market or other basis)

---

None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF  
INVENTORY RECORDS

---

**21. Current Partners, Officers, Directors and Shareholders**

None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

---

None ☒ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE OF  
STOCK OWNERSHIP

---

**22. Former partners, officers, directors and shareholders**

None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

---

None ☒ b. If the debtor is a corporation, list all officers, and directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

---

**23. Withdrawals from a partnership or distribution by a corporation**

None ☒ If the debtor is a partnership or a corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NAME & ADDRESS OF  
RECIPIENT, RELATIONSHIP  
TO DEBTOR

DATE AND PURPOSE  
OF WITHDRAWAL

AMOUNT OF MONEY OR  
DESCRIPTION AND VALUE  
OF PROPERTY

**24. Tax Consolidation Group**

None



If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the six-year period immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

**25. Pension Funds**

None



If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six-year period immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

\* \* \* \* \*

*[If completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 9/01/05

Signature  
of Debtor

/s/ Frank V. Moscato

FRANK V. MOSCATO

**CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.  
(Required by 11 U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X

Signature of Bankruptcy Petition Preparer

0

continuation sheets attached

Date

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both, 18 U.S.C. § 152 and 3571. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

**Form 8. INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**  
**UNITED STATES BANKRUPTCY COURT**  
**Western District of New York**

In re Frank V. Moscato,  
Debtor

Case No. \_\_\_\_\_  
Chapter Chapter 7

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

*a. Property to Be Surrendered.*

Description of Property	Creditor's name
NONE	

*b. Property to Be Retained.*

*[Check any applicable statement.]*

Description of Property	Creditor's name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
2004 Chevrolet Impala, 31,80...	GMAC			✓
2005 Chevrolet Colorado, 7,6...	GMAC			✓
house and lot	Countrywide Homes			✓

Date: 9/01/05

/s/ Frank V. Moscato

Signature of Debtor

FRANK V. MOSCATO

**CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.  
(Required by 11 U.S.C. § 110(c).)

Address

Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document.

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*



Advanta Bank  
PO Box 844  
Spring House, PA 19477-0844

American Express  
777 American Expressway  
Ft. Lauderdale, FL 33337-0001

Bank of America  
PO Box 1758  
Newark, NY 07101-1758

Capitol One Bank  
PO Box 70884  
Charlotte, NC 28272-0884

Chase Bank  
PO Box 15650  
Wilmington, DE 19886-5650

Countrywide Home Loans  
SV-314  
PO Box 5170  
Simi Valley, CA 93062-5170

GMAC  
PO Box 8142  
Cockeysville, MD 21030

HSBC  
PO Box 17332  
Baltimore, MD 21297-1332

Sears  
PO Box 182149  
Columbus, OH 43218-2149

Susan A. Gephardt  
56 Partridge Hill  
Honeoye Falls, NY 14472

United Mileage Plus  
PO Box 15153  
Wilmington, DE 19886-5153

Wells Fargo  
PO Box 6412  
Carol Stream, IL 60197-6412

# United States Bankruptcy Court

## Western District of New York

In re Frank V. Moscato

Case No. \_\_\_\_\_

Chapter 7

Debtor(s)

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept ..... \$ 745.00

Prior to the filing of this statement I have received ..... \$ 745.00

Balance Due ..... \$ 0.00

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in the bankruptcy proceeding.

9/01/05

*Date*

/s/ John F. McKeown, Esq.

*Signature of Attorney*

John F. McKeown, Attorneys at Law

*Name of law firm*

UNITED STATES BANKRUPTCY COURT

Western District of New York

In re:

Frank V. Moscato

Case No.

Chapter 7

Debtor(s)

**INSERT NAME OF FORM HERE**

UNITED STATES BANKRUPTCY COURT

Western District of New York

In re:

Frank V. Moscato

Case No.

Chapter 7

Debtor(s)

**INSERT NAME OF FORM HERE**

**DISCLOSURE OF COMPENSATION -- Rule 2016 (b)**

1. Pursuant to 11 U.S.C. §329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is \$745.00.

2. The source of the compensation paid, or to be paid to me was the debtor.

3. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

/s/John F. McKeown, Esq.

Date 9/01/05

Signature

No.

John F. McKeown, Esq., Bar